

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAY 23 2012 ★

VINCENT SULLIVAN,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER
JULIO MICELI, DETECTIVE EDWARD
VELARDI, DETECTIVE JONATHAN JORDAN,
SERGEANT WILLIAM SOMMER, DETECTIVE
MICHAEL SEPAR, DETECTIVE LORNE
KANOVER, DETECTIVE IAN CYRUS,
DETECTIVE ANTHONY CHOW,

Defendants..

X

WHEREAS, plaintiff commenced this action by filing a complaint on or about August 25, 2011 and a filed motion to amend the complaint to include all of the abovementioned individuals on February 23, 2012, alleging violations of his constitutional rights and common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, defendant City of New York served plaintiff with a Rule 68 Offer of Judgment on March 13, 2012; and

WHEREAS, plaintiff accepted the Rule 68 Offer of Judgment on or about March 30, 2012;

WHEREAS, Judgment was entered, pursuant to Rule 68, on April 18, 2012;

WHEREAS, plaintiff has assigned all right to attorney's fees, costs, and expenses in this matter to his attorney, Ilissa Brownstein, Esq.; and

BROOKLYN OFFICE
STIPULATION OF
SETTLEMENT AND ORDER OF
DISMISSAL AS TO
ATTORNEY'S FEES

11 CV 4125 (SLT)(LB)

WHEREAS, the parties have now negotiated and agreed to resolve the issue of reasonable attorney's fees, costs and expenses without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed against defendants, with prejudice, and without costs, expenses, or attorneys' fees in excess of the amount specified in paragraph "2" below.

2. Defendant City of New York hereby agrees to pay counsel for plaintiff, Ilissa Brownstein, Esq., the total sum of **THIRTEEN THOUSAND AND FIVE HUNDRED DOLLARS (\$13,500.00)**. In consideration for the payment of this sum, plaintiff and plaintiff's counsel agree to release the defendants and proposed defendants, City of New York, POLICE OFFICER JULIO MICHELI, DETECTIVE EDWARD VELARDI, DETECTIVE JONATHAN JORDAN, SERGEANT WILLIAM SOMMER, DETECTIVE MICHAEL SEPAR, DETECTIVE LORNE KANOVER, DETECTIVE IAN CYRUS, and DETECTIVE ANTHONY CHOW and any present or former employees and agents of the City of New York, from any and all liability, claims, or rights of action for costs, expenses and attorney's fees arising out of or connected with this action.

3. Counsel for plaintiff hereby agree and represent that no other claims for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, costs, or expenses at any time.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of

the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

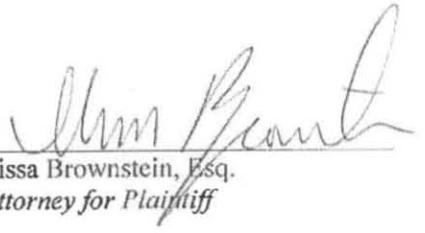
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

6. Plaintiff's counsel shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including a general release from plaintiff and plaintiff's counsel, based on the terms of paragraph "2" above.

7. The payment of the amount specified in paragraph "2" to counsel for plaintiff shall constitute the "reasonable attorney's fees, expenses and costs" paid pursuant to the accepted Rule 68 Offer of Judgment.

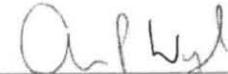
8. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto with respect to the question of attorney's fees, costs, and expenses arising out of or connected with this action, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the attorney's fees, expenses, and costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

ILISSA BROWNSTEIN
Attorney at Law
22 Cortlandt Street, 16th Floor
New York, New York 10007

By: 
Ilissa Brownstein, Esq.
Attorney for Plaintiff

Dated: New York, New York
May 4, 2012

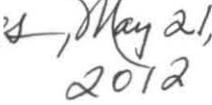
MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street, Rm. 3-189
New York, New York 10007
(212) 788-0422

By: 
Andrew Wenzel
Assistant Corporation Counsel

Dated: New York, New York
May 4, 2012

SO ORDERED:

s/Sandra L. Townes
HON. SANDRA L. TOWNES
UNITED STATES DISTRICT JUDGE


May 21, 2012